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8	IN THE UNITED STATES DISTRICT COURT FOR THE			
9	NORTHERN DISTRICT OF CALIFORNIA			
10	SAN FRANCISCO DIVISION			
11	UNITED STATES OF AMERICA and		)	
12	MICHAEL FILICE, Revenue Off	icer, )	No. C-07-2515-MH	P
13	Petitioners,	)		
14	<b>v.</b>	) )	[proposed] ORDER FINDING	RESPONDENT
15	CHUK FU CHOW,	)	IN CONTEMPT	
16	Respondent.	)		
17	This matter came before the Court on October 29, 2007, upon the Court's Order to Show			
18	Cause Re: Contempt entered August 24, 2007.			
19	On July 31, 2007, the Court entered its Order Enforcing Summons in this matter. Mr.			
20	Chow, who has not appeared at any of the court proceedings concerning the enforcement of the			
21	IRS summons at issue, has yet to produce the documents ordered by the Court in the Order			
22	Enforcing Summons.			
23	Due to respondent's failure to comply with the Order Enforcing Summons, the petitioners			
24	filed an Application for Entry of Order to Show Cause Re: Contempt on August 16, 2007. On			
25	August 24, 2007, this Court ordered respondent to appear and show cause, if any, why he should			
26	not be held in contempt for his failure to comply with the Court's Order Enforcing Summons. Or			
27	October 29, 2007, the show cause hearing was held.			
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	ORDER FINDING RESPONDENT IN CONTEMPT (No. C-07-2515-MHP)	1		

Despite the great length of time Mr. Chow has had to comply with the Order Enforcing 1 2 Summons, Mr. Chow has not appeared in this matter and has not complied with the summons by 3 providing the government with testimony or the summoned records. The Court having considered the record herein, it is hereby 4 5 **ORDERED** that respondent Chuk Fu Chow, is in contempt of this Court's Order 6 Enforcing Summons, and respondent is fined \$500 per day from this date until the date he 7 complies with the Order Enforcing Summons. IT IS FURTHER ORDERED that if respondent Chuk Fu Chow complies with the 8 Order Enforcing Summons, within fourteen days of this date, he will be purged of the \$500 per 9 10 day fine that might have accrued against him for his failure to comply with the Order Enforcing 11 Summons. 12 IT IS FURTHER ORDERED that if, by November 19, 2007 respondent Chuk Fu Chow has failed to comply with the Order Enforcing Summons, he shall appear in person before this 13 Court on the day of , 2007, at .m., United States Courthouse, 450 Golden 14 15 Gate Avenue, San Francisco, California and then and there show cause why he should not be 16 imprisoned until he complies with the Court's Order Enforcing Summons. **ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_\_, 2007 at San Francisco, California. 17 18 19 20 **UNITED STATES DISTRICT JUDGE** 21 22 23 24 25 26 27 28

## 1 **CERTIFICATE OF SERVICE** 2 I, KATHY TAT declare: That I am a citizen of the United States of America and employed in San Francisco County, 3 4 California; that my business address is Office of United States Attorney, 450 Golden Gate 5 Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, 6 and am not a party to the above-entitled action. 7 I am employed by the United States Attorney for the Northern District of California and 8 discretion to be competent to serve papers. The undersigned further certifies that I caused a copy 9 of the following: 10 [Proposed] Order Finding Respondent in Contempt to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed 11 envelope, and served as follows: 12 FIRST CLASS MAIL by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice. 13 PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED) 14 15 FACSIMILE (FAX) No.: to the parties addressed as follows: 16 17 Chuk Fu Chow 341 San Fernando Way 18 San Francisco, CA 94127 19 I declare under penalty of perjury under the laws of the United States that the foregoing is 20 true and correct. 21 22 Executed on October 29, 2007 at San Francisco, California. 23 24 /s/ Kathy Tat 25 **KATHY TAT** Legal Assistant 26 27

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